

## REMARKS

Claims 1-17, 20-38, 41-43, 45 and 46 are pending in this application, which claims presently stand rejected.

### Claim Rejections under 35 USC 102

Claims 1-17, 20-38, 41-43 and 45-46 are rejected under 35 USC 102(e) as being anticipated by Moshayedi (US Pub. 2002/0091965).

Claim 1 is amended to recite, “calculating error correction code data from the user data; storing the user data and the error correction code data ...” and additional limitations. Moshayedi does not appear to disclose calculating such error correction code data or storing such data. Because these limitations are not shown by Moshayedi, claim 1 is believed to distinguish over Moshayedi and therefore be allowable. Support for these claim limitations may be found throughout the specification, in particular at page 11, lines 5-10. Claims 2-5 depend from claim 1 and are therefore submitted to be allowable at least for depending from an allowable base claim.

Claim 6 is amended to recite, “a first storage element on the first chip, the first storage element containing a first counter,” “a second storage element on the second chip, the second storage element containing a second counter” and “the controller generating an end-of-life indicator when either the first counter reaches the first threshold or the second counter reaches the second threshold.” These limitations are believed to be supported throughout the specification, in particular at page 15, line 26 to page 16, line 8. No such first and second counters on first and second chips appear to be shown by Moshayedi. In particular, Moshayedi does not appear to show separate counters on separate chips where the controller generates an end-of-life indicator when either the first counter reaches the first threshold or the second counter reaches the second threshold. Because this limitation does not appear to be shown by Moshayedi, claim 6 is submitted to be allowable.

Claims 7, 9-17 and 20 depend from claim 6 and are therefore submitted to be allowable at least for depending from an allowable base claim. Claims 7, 9, 10, 11, 12, 13, 15, and 16 are amended to be consistent with claim 6 as amended. Claim 8 is canceled. Claims 7, 9-17 and 20 recite additional limitations that are not disclosed by Moshayedi. For example, claim 15 recites, “an individual one of the first plurality of spare units of erase is a sector, and an individual one of

the second plurality of spare units of erase is a spare sector.” These limitations do not appear to be shown by Moshayedi. Also, claim 20 recites, “the memory system is one of a PC card, a CompactFlash card, a MultiMedia Card, a SmartMedia card, a Memory Stick card, and a Secure Digital card.” The Office action cited Paragraphs [0032]-[0034] of Moshayedi as disclosing this limitation. However, none of these card formats appears to be disclosed in this text. Therefore, claim 20 is submitted to be additionally allowable.

Claim 21 is amended to recite, “a memory system on a first chip ... and a controller on the first chip.” These limitations are supported throughout the specification, in particular at page 8, lines 20-25. This configuration does not appear to be disclosed by Moshayedi. In particular, Moshayedi appears to show memory system controller 106 and an array of one or more memory cards 108 (Paragraph [0033] and Figure 1A). Moshayedi alternatively shows a memory card controller 112 that communicates with an array 120 of one or more memory chips (Paragraph [0037] and Figure 1B). However, Moshayedi does not appear to show both a memory system and a controller on one chip. Thus, claim 21 is submitted to distinguish over Moshayedi and therefore be allowable.

Claims 22-33 depend from claim 21 and are submitted to be allowable at least for depending from an allowable base claim. Claims 22, 28, 32 and 33 are amended for clarity. Claims 22-33 recite additional limitations that further distinguish over Moshayedi. For example, claim 28 recites, “an individual one of the plurality of units of erase is a sector, and an individual one of the plurality of spare units of erase is a spare sector.” Moshayedi does not appear to disclose that a unit of erase is a sector. In particular, Moshayedi discloses, “In one embodiment, a row 214, 216, 218, 220 typically holds a plurality of sectors for storing data,” Paragraph [0039]. Thus, claim 28 is submitted to further distinguish over Moshayedi.

Claim 32 is amended to recite, “the information is one of audio information and wireless information.” Moshayedi does not appear to disclose capture of either of these forms of data.

Claim 33 is amended to recite, “the host system is one of a cellular communications device, an audio player, and a video player.” Moshayedi does not appear to disclose a host system being one of these devices.

Claim 34 is amended to recite, “means for decrementing the counter, the counter being decremented each time a spare unit of erase of the plurality of spare units of erase is reassigned.” Moshayedi does not appear to disclose such a means. In particular, Moshayedi appears to

disclose, "a counter that is incremented each time a new spares location is used," claim 36. While the Office action provides a dictionary definition that appears to indicate that "increment," when used as a noun, may mean an amount of positive or negative change, it is submitted that, "incremented" when used as a verb, has a meaning that is the opposite of "decremented." Thus, Moshayedi's disclosure of a counter that is incremented would appear to disclose the opposite of a counter that is decremented, as recited in claim 34. Therefore, claim 34 is submitted to distinguish over Moshayedi.

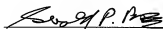
Claim 41 recites, "saving the indication." Moshayedi does not appear to disclose this limitation. In particular, the cited portion of Moshayedi (Paragraph [0056]) discloses sending an alert, but does not appear to disclose saving an indication. Thus, claim 41 is submitted to distinguish over Moshayedi. Claims 42 and 43 depend from claim 41 and are therefore submitted to be allowable at least for depending from an allowable base claim.

Claim 45 recites, "the non-volatile memory system is one of a PC card, a CompactFlash card, a MultiMedia card, a Memory Stick card, a Smart Media card, and a Secure Digital card." None of these card formats appear to be disclosed by Moshayedi. In particular, the cited portions of Moshayedi (Paragraphs [0007] and [0034]) do not appear to disclose any of these formats. Moshayedi discloses, "the memory card array 108 can be an array of flash memory cards," Paragraph [0034]. However, Moshayedi does not appear to disclose any particular type of memory card. Thus, claim 45 is submitted to distinguish over Moshayedi. Claim 46 depends from claim 45 and is submitted to be allowable at least for depending from an allowable base claim.

#### CONCLUSION

In view of the amendments and remarks contained herein, it is believed that all claims are in condition for allowance and an indication of their allowance is requested. However, if the Examiner is aware of any additional matters that should be discussed, a call to the undersigned attorney at: (415) 318-1160 would be appreciated.

Respectfully submitted,



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Date